

CITY COMMISSION MINUTES

August 18, 2009

7:00 p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, August 18, 2009 with Mayor Terry Heldstab presiding.

The following members of the Commission were present: Terry Heldstab, Scott Johnson, Mike Rhodes, Ken Talley, and Jack Taylor. Staff present was: City Manager Rod Barnes, Assistant City Manager Mike Guinn, City Engineer Christina Cook, City Attorney Catherine Logan, and City Clerk Tricia Gowen.

PLEDGE OF ALLEGIANCE

GENERAL DISCUSSION

(The Commission requests that comments be limited to a maximum of five minutes for each person.)

None.

CONSENT AGENDA

Commissioner Rhodes moved, seconded by Commissioner Taylor to approve the Consent Agenda. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion carried. The Consent Agenda consisted of the following:

- a. Approval of the **August 4, 2009**, City Commission meeting minutes.
- b. The consideration of **Appropriation Ordinance** dated July 30-August 12, 2009 in the amount of \$1,525,224.52.
- c. Monthly Reports
 1. Fire Department
 2. EMS
 3. Police Department
 4. Rolling Meadows
 5. Water Department
 6. July Revenue & Expense
 7. Personnel
 8. Spin City
- d. The consideration and approval for **Pay Estimate #2** by HWS Consulting Group in the amount of \$10,262.28 for professional services through June 27, 2009 on the Safe Routes to School Phase II project.
- e. The consideration and approval **to issue a request for proposal (RFP)** to seek bids for an agreement with a collection agency for collection of delinquent ambulance debts not collected by the Kansas Setoff Program (no social security number documented and/or non-Kansas residents); the request would close on September 28, 2009.

SPECIAL PRESENTATIONS

- a. Mayor Heldstab and Officer Wigton presented the certificate/award to the Scott Family at 504 W. Chestnut for the **August Yard of the Month winner (South West section)**. Officer Wigton thanked the sponsors of the program (Family Video, Wal-Mart and the Junction City Police Officers Association). Officer Wigton stated that the section West of US 77 will be awarded in September.
- b. Mayor Heldstab read the **City Proclamation** for the WILLIAM LEROY TALBOTT LADIES AUXILIARY 8773 declaring September 19, 2009 for the Buddy Poppy event.
- c. Mayor Heldstab presented Aileen Cray with the United Way of Junction City/Geary County with a **City Proclamation** to proclaim the timeframe of August 17 – November 13, 2009 as "United Way of Junction City – Geary County Campaign". Vic Davis, United Way Honorary chair thanked the City and the Commission for their support of the United Way of many years. If every employee in Junction City would be as diligent at the City, the United Way would have enough money to fully fund the agencies. Mr. Davis stated that the United Way looks forward to a continued relationship with the City.

UNFINISHED BUSINESS

- a. The consideration of **Ordinance G-1055** amending the Finance, Budget and Taxation section of City Code (**Final Reading**). Commissioner Rhodes moved, seconded by Commissioner Talley to approve Ordinance G-1055 amending the Finance, Budget and Taxation section of City Code (Final Reading). Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion carried.
- b. The consideration and approval of **Ordinance G-1054** updating and establishing the departments of the City (**Final Reading**). Commissioner Rhodes moved, seconded by Commissioner Taylor to approve Ordinance G-1054 updating and establishing the departments of the City (Final Reading). Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion carried.
- c. The consideration and approval of **Ordinance G-1043** requiring additional information for permit applications by replacing the existing section 500.060 with the following new section 500.060 to Title V The Code of Ordinances of the City of Junction City, Kansas (**Final Reading**). Commissioner Johnson asked what percentage of builders were for this change. City Engineer, Christina Cook, stated that of the 300 letters that were mailed, about 20 responses were received. The staff attempted to address most of the builders' concern with the new language. Commissioner Johnson stated that the key is affordable housing. He stated that he is opposed to anything that adds additional costs. This is all due to out-of-town builders. He is against any restrictions and he hasn't seen any problems with local builders. Mayor Heldstab asked Commissioner Johnson, "Didn't you support this action two weeks ago on First Reading?" Commissioner Johnson stated, "Yes. I can admit when I make a mistake." Commissioner Rhodes moved, seconded by Commissioner Talley to approve Ordinance G-1043 requiring additional information for permit applications by replacing the existing section 500.060 with the new section 500.060 to Title V The Code of Ordinance of the City of Junction City, Kansas (Final Reading). Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: Johnson. Motion carried four to one.

- d. The consideration and approval of **Ordinance G-1050** adding new sections C through H regarding a Plan Review Fee for Commercial and Industrial Building permit Applications to Section 505.020 of Chapter 505 of Title V to the Code of Ordinances (**Final Reading**). City Engineer, Christina Cook, stated that the ordinance includes a plan review check list. If everything is checked on the list on the first review, there is no charge. If the list must be revisited, then charges will be assessed. Commissioner Talley moved, seconded by Commissioner Taylor to approve Ordinance G-1050 adding new sections C through H regarding a Plan Review Fee for Commercial and Industrial Building permit Applications to Section 505.020 of Chapter 505 of Title V to the Code of Ordinances (Final Reading). Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion carried.
- e. The consideration and **approval of the 2010 proposed City budget**. City Manager, Rod Barnes, stated that the 2010 published mill levy is 49.268 mills. The current 2009 mill levy is 48.272 mills. At the Special Commission meeting on August 17th, the mill levy was at 48.552 mills. Commissioner Johnson stated that the mill levy needs to go down; taxes are too high, we need affordable housing; need to cut the 2010 budget by several mills. Commissioner Rhodes stated that he likes what has been proposed for the outside agencies to give them a year to find other funding sources. Commissioner Taylor stated that he agrees with Commissioner Rhodes with regards to the outside agencies. He would like to see \$17,500 of the Historical Society amount moved to the Arts Council. He feels the Historical Society has other funding. He also wants to see the City retain the police officer positions. Commissioner Talley stated that he has attended the other taxing entities' budget hearings. The County plans to increase their mill levy and the School District has passed their mill levy at an increased rate of 2.5 mills. He feels the mill levy should go down, but would think the public would show outrage at these two entities increasing the mill levy; however, he hasn't heard anything about the County and the School District increasing their mill levies. Commissioner Johnson suggested giving \$20,000 to the Arts Council, Konza Prairie Health \$10,000 and the rest of the outside agencies should not be funded. Commissioner Johnson stated that taxes should not be going higher. Commissioner Johnson moved to not approve any budget. The motion died for a lack of a second. Commissioner Taylor stated that he would like to see the budget rearranged and eliminate more. He stated that he will vote against the budget. Commissioner Rhodes moved, seconded by Mayor Heldstab to approve the 2010 City budget at 48.552 mills. Ayes: Heldstab, Rhodes, Talley. Nays: Johnson, Taylor. Motion carried three to two.

NEW BUSINESS

- a. The consideration and approval of **Resolution R-2563** to install eleven street lights on Spring Valley Road from 615 S. Spring Valley North to Ponca Drive at a cost of \$8.52 per light each month. Commissioner Talley moved, seconded by Commissioner Taylor to approve Resolution R-2563 to install eleven street lights on Spring Valley Road from 615 S. Spring Valley Road North to Ponca Drive at a cost of \$8.52 per light each month. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion carried.
- b. The consideration and approval of a **Neighborhood Revitalization Application** to build a single family unit at 1402 N. Webster. Approximate cost \$116,850. The project qualifies for 95% for years 1-2, 75% for year 3, 50% for year 4, and 25% for year 5. Construction to commence in late August. (**EDC approved 10-0**). Retail Specialist, Stacy Schulte, stated that the City owns the land and partners with the School District to build the house. The profit from the sale of the house is split between the City and the School District. The homes built in the past have been sold to Police Officers. The officers are given the first opportunity to purchase the homes. Commissioner Johnson asked if the tax rebate was a necessary part of the process. He feels everyone must pay their taxes. He stated that he is against this

program. Ms. Schulte stated that given the comments about the Neighborhood Revitalization Program over the past several months, the EDC Board is reviewing the program. Commissioner Talley moved, seconded by Commissioner Rhodes to approve the Neighborhood Revitalization Application to build a single family unit at 1402 N. Webster at an approximate cost of \$116,850. Ayes: Heldstab, Rhodes, Talley. Nays: Johnson, Taylor. Motion carried three to two.

- c. The consideration and approval of a **Neighborhood Revitalization Application** to build storage units at 1120 South Madison Street. The approximate cost is \$48,000. The project qualifies for 95% rebate for 3 years. Construction to commence upon approval (**EDC approved 10-0**). Commissioner Johnson stated that he is against the Neighborhood Revitalization program; he feels these properties should be on the tax rolls. The owner, Don Boyer, stated that he is currently paying his property tax and the property as it is now is not profitable. This project will make it a profitable property. The rebate is only on the addition to the property, not on the existing. Commissioner Talley stated that the EDC board approved the application 10 to 0. Commissioner Talley moved, seconded by Commissioner Rhodes to approve the Neighborhood Revitalization Application to build storage units at 1120 South Madison Street at an approximate cost of \$48,000. Ayes: Heldstab, Rhodes, Talley. Nays: Johnson, Taylor. Motion carried three to two.
- d. The consideration and approval for **Change Order #2** by Middlecreek Corporation for an additional 90 calendar days at an increased amount of \$24,300.00 to compensate for additional costs incurred for traffic control on the K-18 and Karns project. **REMOVED FROM THE AGENDA.**
- e. The consideration and approval of Kaw Valley Engineering Inc's proposal to provide Professional Services on the 6th and Franklin **Traffic Signal project in the amount of \$26,119.00**. City Engineer, Christina Cook, stated that Kaw Valley Engineering ranked the highest through their selection process. The project will be let in June 2010 and is a KDOT administered project. Commissioner Talley inquired if there will be a system in place to keep traffic flowing on 6th Street. Ms. Cook stated that the light will be timed with the others on 6th Street. Ms. Cook stated that they are working on a warning system for motorists who are driving west on 6th Street coming over the via duct. The City owns and maintains three of the four corners at that intersection. Handicap accessible ramps and signalization will be installed. Commissioner Taylor moved, seconded by Commissioner Johnson to approve Kaw Valley Engineering's proposal to provide Professional Services on the 6th and Franklin Traffic Signal project in the amount of \$26,119.00. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion carried.
- f. The consideration and approval of Kaw Valley Engineering Inc's proposal to provide Professional Services on the US-77 and Lacy Drive **Traffic Signal project in the amount of \$31,000.00**. City Engineer, Christina Cook, stated that this is due to be built in December 2010 and is a KDOT administered project. Kaw Valley Engineering is familiar with this intersection. Commissioner Taylor inquired if this project fell under the KLINK project. Ms. Cook stated that yes, it does. Ms. Cook stated that the cost of professional services are the City's responsibility. The costs could be reduced if the project was included in a CID or TIF. Commissioner Taylor moved, seconded by Commissioner Johnson to approve Kaw Valley Engineering's proposal to provide Professional Services on the US-77 and Lacy Drive Traffic Signal project in the amount of \$31,000.00. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion carried.

- g. The consideration and approval of **Resolution R-2564** to approve a water supply project consisting of the construction of well #18 to replace well #10 and field piping. (The loan for this project was approved by Ordinance S-3064 which passed on August 4, 2009.) City Attorney, Katie Logan, stated that the City Attorney must issue a legal opinion that the loan and project have been approved. This is a clean up matter. The project is conditioned on funding from KDHE. Commissioner Rhodes moved, seconded by Commissioner Talley to approve Resolution R-2564 approving the water supply project consisting of the construction of well #18 to replace well #10 and field piping. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion carried.

COMMISSIONER COMMENTS

Commissioner Taylor complimented the Fire and Police Departments for their quick response to the fire on Oakridge Drive.

Commissioner Johnson stated that taxes are going up so you'd better get used to it.

Commissioner Talley stated that Chief Story and his staff did a good job on the situation where an officer was shot at. He appreciates all that the Police Department does and asked Chief Story to relay that to his staff.

Commissioner Rhodes echoed the positive comments about the Fire and Police Departments. The Fire Department has experienced two major fires lately and he thanked them for a job well done and that it was done safely. Commissioner Rhodes asked the City Engineer, Christina Cook, if 8th Street between Calhoun and Garfield Streets could be stripped so that motorists are guided to stay on their side of the road. Ms. Cook stated that the staff will look into getting this accomplished. Commissioner Rhodes also inquired about the traffic flow at Franklin Elementary. Ms. Cook stated that since school has started, this would be a great time to conduct traffic studies of the area. Commissioner Rhodes thanked the City staff and the Commission on their budget input and their hard work on the 2010 budget. He stated that some people think that because it's a good idea, it's a great one; however, some ideas are just not possible to implement. He appreciates all of the input that was received on the 2010 budget. Commissioner Rhodes inquired as to what Military unit was in attendance this evening.

A representative of D Company 1/28th Infantry Regiment of the 4th Infantry Division stated that their unit is about to deploy and they are studying local governments and learning how to provide services to Iraqi citizens. Mayor Heldstab welcomed the soldiers and stated that our prayers will go with them when they deploy. He thanked them for their service. Mayor Heldstab stated that if there was anything the Commission or City staff could do to assist them before they deploy, to let us know. City Manager, Rod Barnes, encouraged the soldiers to visit the City's website.

Mayor Heldstab also echoed the positive comments regarding the Fire and Police Departments. He stated that Fort Riley provided mutual aid this week and that the Garrison Commander authorized the mutual aid without hesitation. Good job!

STAFF COMMENTS

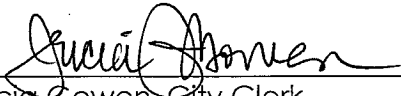
City Manager, Rod Barnes, thanked the City staff for their work on the 2010 budget process. With the approved budget, there will be staff eliminated in 2010. Mr. Barnes reminded the Commission of the upcoming elected official training to be held on August 19th from 4 to 8 p.m. at the County's emergency management facility with Gerry Berges. Mr. Barnes stated

that a housing summit was held today at Fort Riley. The military provided housing information from today to 2013. The numbers presented follow the information that has been presented previously. Mr. Barnes stated that is clear that Junction City is in a good position to provide for their housing needs. The next CPC meeting is scheduled for September 9, 200 and housing will be the featured topic.

ADJOURNMENT

Commissioner Taylor moved, seconded by Commissioner Talley to adjourn at 8:01 p.m. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 1st DAY OF SEPTEMBER 2009 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR AUGUST 18, 2009.



Tricia Gowen, City Clerk



Terry Heldstab, Mayor